

approximately equal the calcium, phosphorus content in a quart of milk. This drink contains 12½ per cent soluble calcium and phosphorus to each pound mix"; and its own strength and purity fell below the aforesaid professed standard and quality.

On December 27, 1937, the defendant entered a plea of nolo contendere and the court imposed a fine of \$150.

W. R. GREGG, *Acting Secretary of Agriculture.*

28689. Misbranding of Mentho-Kerchief. U. S. v. 539 Packages of Mentho-Kerchief. Default decree of condemnation and destruction. (F. & D. No. 39131. Sample No. 12940-C.)

The labeling on this product bore false and fraudulent representations regarding its curative and therapeutic effectiveness.

On February 25, 1937, the United States attorney for the District of Columbia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 539 packages of Mentho-Kerchief at Washington, D. C., alleging that the article had been shipped in interstate commerce, on or about January 25, 1937, from Shamokin, Pa., by the Rieser Co., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of tissue paper impregnated with menthol.

The article was alleged to be misbranded in that the following statements appearing on the packages, regarding its curative or therapeutic effects, were false and fraudulent: "Use for * * * Sinus and Hay Fever * * * Sinus—Hay Fever * * * Nothing like Mentho-kerchief to soothe all types of * * * Sinus Trouble and Hay Fever, etc."

On February 15, 1938, no claimant having appeared, judgment of condemnation was entered and the product was ordered destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

28690. Misbranding of Kotofom. U. S. v. Kotofom Corporation of America. Plea of guilty. Fine, \$5 and costs. (F. & D. No. 39823. Sample No. 33334-C.)

The labeling of this product bore false and fraudulent therapeutic and curative claims.

On January 19, 1938, the United States attorney for the Northern District of Indiana, acting upon a report by the Secretary of Agriculture, filed in the district court an information against the Kotofom Corporation of America, South Bend, Ind., alleging shipment by said corporation in violation of the Food and Drugs Act as amended, on or about October 26, 1936, from the State of Indiana into the State of Wisconsin of a quantity of Kotofom which was misbranded. The article was labeled in part: "Kotofom Corporation of America, South Bend, Indiana."

Analysis showed that it consisted chiefly of water, soap, and a small amount of glycerin with minute amounts of fluorescein and a perfume.

The article was alleged to be misbranded in that statements, designs, and devices appearing in a booklet affixed to each can falsely and fraudulently represented its therapeutic and curative effectiveness as a healing agent and as a cure for severe cases of dandruff.

The information also alleged that it was misbranded in violation of the Insecticide Act of 1910, reported in notice of judgment No. 1606 published under that act.

On February 7, 1938, a plea of guilty was entered and the defendant was sentenced to pay a fine of \$5 and costs for violation of both acts.

W. R. GREGG, *Acting Secretary of Agriculture.*

28691. Misbranding of Salacetin Bell. U. S. v. 66 Bottles of Salacetin Bell. Default decree of condemnation and destruction. (F. & D. No. 41209. Sample Nos. 55333-C, 55346-C.)

The labeling of this product bore false and fraudulent representations regarding its curative or therapeutic effects.

On December 23, 1937, the United States attorney for the District of Massachusetts, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 66 bottles of Salacetin Bell at Boston, Mass., alleging that the article had been shipped in interstate commerce on or about October 6 and November 5 and 29, 1937, by Hollings-Smith